



Livermore Site Office News

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DOCUMENT AVAILABLE FOR PUBLIC COMMENT ON BIOSAFETY LEVEL 3 FACILITY AT LAWRENCE LIVERMORE NATIONAL LABORATORY

LIVERMORE, CA -- A Draft Revised Environmental Assessment for the Proposed Construction and Operation of a Biosafety Level 3 Facility at Lawrence Livermore National Laboratory is now available for public review and comment from the U.S. Department of Energy, National Nuclear Security Administration, Livermore Site Office. This Draft Revised document was prepared in response to an October 2006 Court ruling requiring the U.S. Department of Energy to consider the potential environmental impacts of terrorist activity against the facility.

“The U.S. Department of Energy has determined the probability of a successful terrorist attack on the Biosafety Level 3 facility is extremely low,” Livermore Site Office Manager Camille Yuan-Soo Hoo announced today. “In addition, the purpose of the work to be conducted in the facility will be to develop systems and technologies to reduce the overall probability and consequence of a bio-terrorist act against the public in general.”

The U.S. Department of Energy is seeking public comment on the Draft Revised Environmental Assessment during a 30-day comment period beginning April 11, 2007 and ending May 11, 2007. Written comments should be sent to: Samuel Brinker, National Environmental Policy Act Document Manager, U.S. Department of Energy, National Nuclear Security Administration, Livermore Site Office, M/S L-293, P.O. Box 808, Livermore, CA 94551-0808 or sent via e-mail to samuel.brinker@oak.doe.gov or by fax to (925) 423-5650. Note: The U.S. Department of Energy acknowledges that the impacts related to construction that are discussed in the document have already occurred.

The U.S. Department of Energy, National Nuclear Security Administration, has the responsibility to assist national programs to reduce and counter threats from weapons of mass destruction including nuclear, chemical, and biological weapons. The bioscience work at Lawrence Livermore National Laboratory in support of these missions requires work with infectious agents such as viruses, bacteria and other biological materials, etc. Much of the proposed work must be performed with Biosafety Level 3 containment and protection.

The timeline for this project began when the U.S. Department of Energy issued a Draft Environmental Assessment for public comment July 2002 to construct and operate a Biosafety Level 3 facility at Lawrence Livermore National Laboratory to meet the National Nuclear Security Administration’s mission to develop technologies to improve domestic defense capabilities and, ultimately, to save lives in the event of a chemical or biological attack. A final Environmental Assessment and Finding of No Significant Impact for the proposed Biosafety Level 3 facility was issued in December 2002. Construction of the facility began December 2003 and was completed August 2005.

In September 2003, a lawsuit was filed in Federal District Court challenging the adequacy of the 2002 Environmental Assessment. In September 2004, the District Court ruled that the Environmental Assessment was adequate. In November 2004, the plaintiffs appealed to the Ninth Circuit Court. In October 2006, the Ninth Circuit issued its decision in light of its recent ruling in San Luis Obispo Mothers for Peace v. Nuclear Regulatory Commission. The Court found that with the exception of the lack of analysis concerning the possibility of a terrorist attack, the U.S. Department of Energy did take a hard look at the identified environmental concerns and that the Department's decision was fully informed and well-considered. However, the Court remanded the matter for the U.S. Department of Energy to consider whether the threat of potential terrorist activity necessitates the preparation of an Environmental Impact Statement. In response to the Ninth Circuit ruling, the U.S. Department of Energy reviewed the threat to the Biosafety Level 3 facility from terrorists and the potential environmental effects that might derive from various terrorist acts against the facility.

Copies of the Draft Revised Environmental Assessment are available for public review at the locations listed below:

- Livermore Public Library, 1000 South Livermore Avenue, Livermore, CA 94550 (925) 373-5000;
- Tracy Public Library, 20 East Eaton Avenue, Tracy, CA 95376 (209) 835-2221;
- National Nuclear Security Administration/Lawrence Livermore National Laboratory Public Reading Room, Discovery Center, Building 6525, located at the East Gate entrance off Greenville Road, Livermore, CA (925) 422-3272; and
- On the web at www-envirinfo.llnl.gov/

Once the public review period ends and comments are collected and reviewed, the U.S. Department of Energy will either publish a final Environmental Assessment and Finding of No Significant Impact or determine the need to prepare an Environmental Impact Statement.